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Hearing Date: October 25, 2017 at 10:00 a.m. (ET)
Objections Due: October 10, 2017 at 4:00 p.m. (ET)

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

KEN-WEN FAMILY LIMITED PARTNERSHIP;
KENNETH W. BROWN, in his capacity as a
General Partner of the Ken-Wen Family Limited
Partnership; and WENDY BROWN,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04468 (SMB)

**NOTICE OF MOTION FOR LEAVE TO FILE
A FIRST AMENDED COMPLAINT AND FOR RELATED RELIEF**

PLEASE TAKE NOTICE that Irving H. Picard (the “Trustee”), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III, and the substantively consolidated chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, Courtroom 723, New York, New York 10004, on **October 25, 2017 at 10:00 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard, for entry of an order, pursuant to Rule 15 of the Federal Rules of Civil Procedure, as incorporated by Rule 7015 of the Federal Rules of Bankruptcy Procedure, granting the Trustee’s request for leave to file his First Amended Complaint, in substantially the form attached as Exhibit A to the September 25, 2017 Declaration of Justin P. Duda, on the grounds and for the reasons in the accompanying Memorandum of Law in Support of the Trustee’s Motion for Leave to File a First Amended Complaint and For Related Relief (the “Motion”).

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must be in writing, conform to the Federal Rules of Bankruptcy Procedure and other applicable rules and orders of this Court, and shall be filed in accordance with General Order M-399 and the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York (available at www.nysb.uscourts.gov) by no later than **4:00 p.m. (Eastern Time) on October 10, 2017** (the “Objection Deadline”) (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon (a) Young Conaway Stargatt & Taylor, LLP, counsel for the Trustee, Rockefeller Center, 1270 Avenue of the Americas, Suite 2210, New York, NY 10020, Attention: Matthew B. Lunn; and (b) Securities Investor Protection

Corporation, 1667 K Street, N.W., Suite 1000, Washington, D.C. 20006, Attn: Kevin H. Bell, so as to be received no later than the Objection Deadline. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis for any objection to the Motion.

PLEASE TAKE FURTHER NOTICE that notice of this Motion will be provided by U.S. Mail or email to all defendants in this adversary proceeding in accordance with the Order Establishing Notice Procedures (ECF No. 4560). The Trustee submits that no other or further notice is required.

PLEASE TAKE FURTHER NOTICE that failure to file timely objections may result in the entry of an Order granting the relief requested in the Motion without further notice to any party or an opportunity to be heard.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

Dated: September 25, 2017

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

By: /s/ Matthew B. Lunn
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*Attorneys for Plaintiff Irving H. Picard,
Trustee for the Liquidation of Bernard L.
Madoff Investment Securities LLC*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. KEN-WEN FAMILY LIMITED PARTNERSHIP; KENNETH W. BROWN, in his capacity as a General Partner of the Ken-Wen Family Limited Partnership; and WENDY BROWN, Defendants.	Adv. Pro. No. 10-04468 (SMB)

**ORDER GRANTING THE TRUSTEE'S
MOTION FOR LEAVE TO FILE A FIRST AMENDED
COMPLAINT AND FOR RELATED RELIEF**

Upon the motion dated September 25, 2017 (the "Motion") of Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* and the substantively consolidated chapter 7 estate of Bernard L. Madoff, seeking entry of an order, pursuant to Rule 7015 of the Federal Rules of Bankruptcy Procedure and Rule 15 of the Federal Rules of Civil Procedure to file a First Amended Complaint and for related relief; and the Court

having considered the Memorandum Of Law In Support Of Trustee's Motion For Leave To File A First Amended Complaint And For Related Relief, the supporting Declaration of Justin P. Duda with the proposed amended complaint attached thereto as Exhibit A, and any objections thereto; and due notice of the Motion having been given, and it appearing that no other or further notice need be given; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon the proceedings before the Court and after due deliberation, it is hereby

ORDERED THAT:

1. The relief requested in the Motion is granted in its entirety; and
2. The Trustee is granted leave to file the First Amended Complaint.

Dated: New York, New York

_____, 2017

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE